

**N THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|------------------------------|---|--------------|
| DERRICK DALE FONTROY, ET AL | : | CIVIL ACTION |
| | : | |
| | : | NO. 02-2949 |
| v. | : | |
| | : | |
| MARK S. SCHWEIKER, GOVERNOR, | : | |
| ET AL | : | |

ORDER

AND NOW, this 27th day of September, 2004, it appearing that this action cannot proceed to trial and disposition, it is **ORDERED** as follows:

1. The Clerk of Court shall transfer this action to the Civil Suspense File;
2. The case shall be marked closed for statistical purposes; and,
3. The Court shall retain jurisdiction and the case shall be returned to the trial docket when it is in such status as it may proceed to final disposition.

IT IS FURTHER ORDERED that the entry of this Order is without prejudice to the rights of the parties.

TIMOTHY J. SAVAGE, J.